

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In re:

EPIC Companies Midwest, LLC,
EPIC Companies Midwest 2023, LLC,
EPIC Employee, LLC,
EOLA Capital, LLC, and
EC West Fargo, LLC,

Debtors.

Jointly Administered

Bankruptcy No. 24-30281
Bankruptcy No. 24-30282
Bankruptcy No. 24-30283
Bankruptcy No. 24-30284
Bankruptcy No. 24-30285

Chapter 11

THIRD ORDER AUTHORIZING DEBTORS TO USE CASH COLLATERAL

Debtors filed a Motion for Order Authorizing the Use of Cash Collateral. Debtors served notice of the Motion. The Official Committee of Unsecured Creditors and the United States Trustee filed a response asserting no objection to the Motion. Based upon the Motion [Doc. 161], Affidavit of Patrick Finn [Doc. 161 at 9] and the Consolidated Thirteen-Week Cash Flow Projection marked as Exhibit A to the Motion, the Court finds that the Debtors met the requirements of Bankruptcy Rule 4001(b)(1) and section 363 of the Bankruptcy Code. The Court further finds that the relief provided in this Order is necessary to maintain the Debtors' operations during the term of this Order. Therefore,

IT IS ORDERED:

1. The Motion [Doc. 161] is granted subject to the terms and conditions in this Order. Debtors shall not use cash except as expressly authorized and permitted in this Order or by subsequent order of the Court.

2. Debtors are authorized to use cash, including cash collateral, that may be subject to the lien of Bank Forward, consistent with the projections attached as Exhibit A to the Motion through the end of the week ending February 8, 2025, in the total approximate amount of \$565,750.

3. For purposes of adequate protection, and to the extent of the use of prepetition cash collateral in which Bank Forward has a security interest, the Debtors are authorized to grant to Bank Forward replacement liens, pursuant to 11 U.S.C. § 552, in EPIC Midwest, LLC's postpetition assets of the same priority, dignity, and effect as the prepetition liens, if any, on the prepetition property of EPIC Midwest, LLC.

4. For the avoidance of doubt, none of the replacement liens authorized pursuant to this Order include any interest in any cause of action arising under Chapter 5 of the Bankruptcy Code.

5. In addition, the Debtors must provide to Bank Forward copies of all reporting provided to the United States Trustee if requested by Bank Forward.

Dated: December 3, 2024.



SHON HASTINGS, JUDGE
UNITED STATES BANKRUPTCY COURT